

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1574 – SB 1751

March 15, 2014

SUMMARY OF ORIGINAL BILL: Reduces the amount of ephedrine or pseudoephedrine base, salt, isomer, or salt of an isomer an individual can buy in a 30-day period from 3.6 grams to 2.4 grams. Authorizes a pharmacist to override a stop sale alert from NPLeX, but in no event shall a person buy more than 4.8 grams of ephedrine or pseudoephedrine base, salt, isomer, or salt of an isomer in a 30-day period.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (014269): Clarifies that the maximum allowable quantity restriction does not apply to products in liquid or gel-capsule form.

Prohibits anyone under the age of 18 from purchasing any product containing an immediate methamphetamine precursor unless pursuant to a valid prescription.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- According to the Tennessee Bureau of Investigation, the additional requirements of the NPLeX will not significantly impact the State.
- A violation of Tenn. Code Ann. § 39-17-431 is a Class A misdemeanor punishable by fine only.
- Based on the Fiscal Review Committee's 2008 study of incarceration costs and fines, collection of fines for felony offenses is negligible. There will not be a significant increase in revenue as a result of the mandatory minimum fines for these offenses.
- Though reducing the maximum amount of ephedrine or pseudoephedrine base, salt, isomer, or salt of an isomer an individual can buy in a 30-day period from 3.6 grams to 2.4 grams may increase the number of convictions under Tenn. Code Ann. § 39-17-431, it is assumed that the proposed legislation will not significantly impact state revenues.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm